

INFORMATION LETTER

Not for
Publication

NATIONAL CANNERS ASSOCIATION

For Members
Only

No. 659

Washington, D. C.

July 24, 1937

NEW FOOD AND DRUG BILL INTRODUCED

Grade Labeling Provision Not Included in the Chapman Bill

The latest development in the three-year old effort to amend the Food and Drugs Act was the introduction and its reference to the House Committee on Interstate and Foreign Commerce, on Monday, July 19th, of H. R. 7913, a new House bill by Representative Virgil Chapman of Kentucky, the former chairman of the House Subcommittee considering this legislation, and the author of H. R. 300 which he introduced earlier this session. This new bill would not authorize grade labeling, would retain the seizure and penalty provisions of the existing law, and would not include control over advertising.

The provisions of the new bill can best be understood by recalling some of the history of the effort to amend the Food and Drugs Act. The Copeland Bill, S. 5, which passed the Senate on March 8, 1937, is not drafted in the form of an amendment to the existing law but is an entirely new piece of legislation which would extend the control of the Food and Drug Administration to cosmetics and to the advertising of any food, drug, or cosmetic. In addition the Copeland Bill would provide for more drastic penalties than does the existing law.

One of the principal points of difference between the Senate and House during the last Congress was whether the control of advertising should be given to the Federal Trade Commission or to the Food and Drug Administration. As was reported in the INFORMATION LETTER of July 17th the House Committee on Interstate and Foreign Commerce voted two weeks ago to place the control of advertising with the Federal Trade Commission by amending the Wheeler Bill (S. 1077). The Wheeler Bill was primarily designed and originally introduced to broaden the Federal Trade Commission Act by making unlawful unfair or deceptive acts and practices.

Other controversies, in addition to the grade labeling question, which have concerned legislators interested in food and drug legislation are the provisions of the Copeland Bill (S. 5) and the Chapman Bill (H. R. 300) which relate to penalties, multiple seizures, emergency permit control, etc.

The new Chapman Bill would amend the section of the existing law which deals with misbranding by adding to the misbranding provisions, by making applicable to all foods the principle of the McNary-Mapes amendment, and by including the standard of identity provisions of the Copeland Bill.

Such an amendment to the existing law would permit first, the authorization of standards of identity for any food and would require conformance to such standards; second, the establishment of a single standard of quality for any food, with substandard label designation, as under the

McNary-Mapes amendment; and third, the promulgation of a standard or standards of fill of container and the required substandard label designation if the product does not conform.

The principal difference between the minimum standards provision of Representative Chapman's new bill and Section 10 of the Copeland Bill lies in the omission of the provision

"that, in the fixing and establishing of any standard of quality for any canned fruit or canned vegetable, consideration shall be given and due allowance made for the differing characteristics of the several varieties of such fruit and vegetable".

A request that this provision be included in the Copeland Bill was made by the Association's past President, Mr. Howard A. Orr, on behalf of representatives of the canning industry who were in attendance at a conference in New York City last November.

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APPLICATION OF WALSH-HEALEY ACT

Labor Department Rules Act Applies to Direct Deliveries of Amounts Less Than \$10,000

The Division of Public Contracts of the Department of Labor has ruled that the Walsh-Healey Act applies to individual canners who *deliver directly* to the Government a portion of an aggregate Government contract in excess of \$10,000 awarded to a dealer, even though the portion delivered by the individual canner is less than \$10,000 in amount.

The Walsh-Healey Act, it will be recalled, requires all Government contracts for amounts in excess of \$10,000 to contain stipulations that the contractor will adhere to certain prescribed standards in his relations with employees working on the contract, most important of which is the maintenance of an 8-hour day and a 40-hour week with time and one-half for overtime. Ordinarily, where a Government contract for canned foods is awarded to a dealer, the Act has no application to the canner packing the canned foods used by the dealer in filling the contract. If, however, the dealer, instead of filling the contract from his own stocks, purchases from the canner and has the canner *ship directly to the Government*, the canner will be deemed a party to the contract and subject to the Act. This is by virtue of a regulation promulgated by the Secretary of Labor on November 24, 1936, as follows:

"Whenever a dealer, to whom a contract within the Act and Regulations has been awarded, causes a manufacturer to deliver directly to the Government the materials, supplies, articles or equipment required under the contract, such dealer will be deemed the agent of the manufacturer in executing the contract. As the

principal of such agent the manufacturer will be deemed to have agreed to the stipulations contained in the contracts."

Frequently, a dealer who has been awarded a Government contract for an amount in excess of \$10,000 will purchase the canned foods from two or more canners who will deliver directly to the Government. For example, a dealer awarded a \$16,000 contract may cause canners *A* and *B* each to ship one-half of the contract (or \$8,000) directly to the Government, and the question arises whether the Agency Regulation above makes each of the individual canners subject to the Act. Because the portion delivered by each canner is less than \$10,000, many canners have felt that the Act would not apply.

The ruling of the Division of Public Contracts issued in answer to a request for information presenting this particular question, specifically states that each of the canners will be subject to the Act even though the portion of the larger dealer's contract delivered by him is less than \$10,000.

Correction—McNary-Mapes Regulations

In last week's INFORMATION LETTER was given the full text of the fourth revision of the McNary-Mapes regulations, promulgated by the Secretary of Agriculture under date of July 12, 1937. Due to the fact that a copy could not be obtained from the Food and Drug Administration in time to carry it in last week's issue of the LETTER, the text of the regulations was copied from the *Federal Register* of July 13th in which, we have just learned, there were three errors. These were as follows:

(1) Page 5309, paragraph 17, line 1, the figure "60" in the definition of unblemished peaches should read "80".

(2) Page 5310, paragraph 30(b), last line, "Quartered pears" should read "Whole pears".

(3) Page 5312, paragraph 68, line 3, the word "brown" is omitted after "such as". The line should read "per cent by count of off-colored peas, such as brown, brown-spotted, white".

We have been advised by the Department of Agriculture that the mimeographed copy of the revision of the McNary-Mapes regulations sent by it to all canners contains the following error: On page 15, the first word in second line should be "50" instead of "60". This error does not occur in the copy of the regulations as printed in last week's INFORMATION LETTER.

Comparative Experiments with Canned, Home Cooked and Raws Foods

There has been mailed to all members of the Association a reprint of an article which appeared in the July, 1937, issue of *The Journal of Nutrition* entitled "Comparative Experiments with Canned, Home Cooked and Raw Foods". This is the fifteenth publication in the series resulting from co-operative studies of the Research Laboratories of the Association with Teachers College, Columbia University. It is a summation of the results of feeding three diets over a period of between three and four years using various methods of approach to eliminate variables other than the diets involved.

NEW FOOD AND DRUG BILL INTRODUCED

(Continued from page 5315)

The new bill would also amend the section of the present law dealing with misbranding by repealing the "distinctive name" provision. The effect of this would be to make the labeling of proprietary foods subject to the Secretary's prescribed standards of identity where such standards are promulgated. The new bill would retain a portion of the old law reading:

"Nothing in this Act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulas, except insofar as may be necessary under this Act to secure freedom from adulteration or misbranding."

Another proposed change would amend the "adulteration" provisions of the present law, by adding a provision that a food shall be deemed adulterated if it has been

"prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health".

Other changes proposed in the new bill would amend the 'misbranding section of the present law to permit the packing of imitation food products which are plainly labeled "imitation", would broaden the scope of the Act to include control over device and cosmetic manufacturers, and would make a few amendments applicable only to drugs.

The emergency permit control provision, the court review and injunction sections, the changes in multiple seizure procedure, and other innovations of the Copeland Bill are not contained in the latest bill.

Congress Summary

The President's judicial reform proposal was defeated on Thursday, July 22nd, when the Senate voted to send the measure back to the Judiciary Committee. In so voting the Senate instructed the Committee to report a bill for the reform of the judiciary within ten days.

Immediately preceding the action on court reform the Senate had followed the week-old action of the House by overriding the President's veto of the bill extending the reduced interest rate on Federal Land-Bank loans.

Other action in Congress the past week was the introduction of a new food and drug bill by Representative Chapman, which is discussed elsewhere in the LETTER; the submission of a new general farm bill by Representative Jones; and the progress of the House Labor Committee in its consideration of the Black-Connery labor standards bill.

The new farm bill (H. R. 7972) would establish an agricultural adjustment program covering the five basic crops of cotton, wheat, corn, rice, and tobacco. It was introduced in the House by Chairman Jones of the Agricultural Committee on July 22nd. The proposal is to be the basis of discussion at a conference of farm leaders which has been called by Chairman Jones to meet with the House Committee on July 27th. In calling the conference the Chairman expressed the hope that agreement might be reached on provisions of a bill that would enable agriculture to present a united front.

Having had several meetings at which provisions of the Black-Connery wage and hour bill (H. R. 7200-S. 2475) were discussed, the House Labor Committee on July 21st began to vote on various amendments that have been proposed by Committee members. The Committee is using the draft of the bill which was reported in the Senate (S. 2475). The portion of the measure which the agricultural and fishery processing industries have asked be amended that they may be exempt from the maximum hour provisions of the bill during the harvesting or catching season has not been reached by the Committee. An amendment, which would exempt from the hour provisions of the bill persons growing and marketing fresh fruits and vegetables, was rejected by the Committee.

Senator Alben W. Barkley, the new majority leader of the Senate, has indicated that the Senate would consider the wage and hour bill within the next week.

SOCIAL SECURITY DEVELOPMENTS

Information Returns Now Due—Missouri and Illinois Unemployment Statutes Approved

On or before July 31, 1937, every canner is required to file with the Collector of Internal Revenue for his district an initial information return under the Federal Social Security Act, covering the period from January 1, 1937 to June 30, 1937. These returns, which are required in connection with the Federal Program of Old-Age Benefits, were discussed in detail in the INFORMATION LETTER of July 3, 1937, at p. 5291, and it was pointed out that they are designed to furnish the Bureau of Internal Revenue and the Social Security Board with detailed information as to the taxable wages paid to every employee. Since these returns are *Federal tax returns*, comparable to ordinary income tax returns and subject to similar penalties, it is imperative that they be properly filled out and filed on or before the due date.

The principal difficulty which canners will experience in filling out and filing these returns arises from the requirement that the canner's *identification number*, and the Social Security *account number* of every employee, be given on the returns. It will be recalled that two forms are to be used, SS-2 and SS-2a. The first, SS-2, requires merely a summary of the total taxable wages paid by the employer during the six-month period covered by the return. The employer's identification number must be given in this return. The second, SS-2a, requires detailed information as to the taxable wages which have been paid to each individual employee. A separate form SS-2a must be made out for each person who has worked for the canner at any time during the six-month period, whether permanent, temporary, part-time or seasonal worker. In addition to giving the employee's name, and the total taxable wages he has received, this return must show the *employee's Social Security account number* and the canner's *identification number*.

In most cases the canner will not have received an *identification number*. Where this is true he should state on the returns the date on which he filed his application for an identification number, and the agency to which the application was addressed. He should *not delay* filing his return.

The question of employee *account numbers* is not so easily disposed of. If any of the canner's employees did not have an account number on June 30, 1937, or had left the services of the canner prior to that date without having procured an account number, *and no application has been filed*, the regulations issued by the Bureau of Internal Revenue *place upon the canner an obligation to file an application with the Social Security Board* (or one of its field offices) *on form SS-5 requesting an account number for the employee*. These applications should have been filed within ten days after June 30, 1937, and if the canner has not yet filed them, he should do so immediately. This application should be as complete as the information in the possession of the canner will permit, and should state the canner's reasons for filing it. When this has been done he should then state on the SS-2a form the date the application for an account number for the particular employee involved was filed, and the agency to which it was addressed.

Cases may arise in which the canner has paid wages to seasonal workers without having any record of the names of the persons to whom the wages were paid. Where this is true, it will, of course, be impossible to file an application for an account number for the employee. This does not, however, relieve the canner of the duty of filing complete SS-2a forms covering the total wages which he has paid, and it is suggested that the canner file a supplementary statement setting forth the wages which have been paid to persons whose names are not known, and explaining the reasons why the canner has no information as to these persons.

Missouri and Illinois Statutes Approved

The Unemployment Compensation statutes of Missouri and Illinois, the last two States to adopt such laws, have now been approved by the Social Security Board as conforming with the Federal Social Security Act, the former on July 14 and the latter on July 16, 1937. (The provisions of these two statutes were reviewed in INFORMATION LETTERS, Nos. 654 and 657.) Every State, the District of Columbia, and the territories of Alaska and Hawaii now have Unemployment Compensation statutes which have been approved by the Board. This means that employers will be entitled to credit taxes paid under the approved statutes against the Federal unemployment compensation taxes imposed by Title IX of the Social Security Act.

CANNING CROP REPORTS

Planted Acreage and Production Forecasts of Green Peas and Snap Beans

The following reports on green peas and snap beans for manufacture were issued by the Bureau of Agricultural Economics on July 23rd on the basis of data available on July 15th:

Green Peas

Hot weather and insect damage have reduced the indicated production of green peas for manufacture from 296,070 tons in prospect on July 1st to 277,520 tons indicated by canners' July 15th reports to the Bureau of Agricultural Economics. While production prospects show a decline of 6 per cent

during the past two-week period, the Bureau of Agricultural Economics points out that the present indication still exceeds the record-production of 1935 by 4 per cent and the average production by 52 per cent.

Yields indicated on July 15th of 1,604 pounds per acre compare with estimated yields for 1936 of 1,265 pounds and the 10-year (1923-32) average yields of 1,760 pounds per acre. Prospects in the important States of Wisconsin, Illinois, Minnesota, New York, Utah, Oregon and Washington on July 15th were less favorable than they were on July 1st.

Wisconsin, with indications of 110,000 acres planted to cannery peas, has held the pivotal position in this year's production of the country's pea crop. Prospects were exceptionally favorable for heavy yields until a ten-day period of hot weather early in July combined with some damage by aphid played havoc with sweet varieties. Most of the sweet varieties in the southern part of the State have been harvested and yields have averaged fair to good but in the northern part of the State, where cutting is still in progress, yields are expected to be lower than indicated on July 1st. The Alaskas were practically all harvested by July 15th but the loss sustained by the sweet varieties reduced the State's average yield prospects sharply.

State	Acreage		Production			Indicated 1937
	Har- vested 1936	Planted 1937	5-year average 1928-32	1936	1937	
	Acres	Acres	Tons*	Tons*	Tons*	
Maine.....	2,250	2,900	1,130	1,910	2,610	
New York.....	38,200	40,000	22,990	13,180	28,000	
Pennsylvania.....	4,800	6,000	1,520	4,080	6,000	
Ohio.....	4,150	4,700	3,090	2,800	4,700	
Indiana.....	7,900	8,300	5,790	6,120	8,720	
Illinois.....	18,500	18,600	11,190	12,300	13,020	
Michigan.....	14,500	15,200	6,710	7,030	11,400	
Wisconsin.....	90,000	110,000	81,830	43,200	77,000	
Minnesota.....	20,000	24,800	10,800	14,000	17,360	
Delaware.....	2,800	3,400	1,690	1,500	1,960	
Maryland.....	17,800	18,200	9,330	11,120	14,100	
Virginia.....	5,500	5,900	1,110	3,020	2,800	
Montana.....	2,250	2,700	3,580	2,140	2,970	
Colorado.....	3,560	4,300	2,710	3,510	3,440	
Utah.....	12,700	14,600	11,710	12,060	17,520	
Washington.....	21,000	27,200	2,190	26,250	28,560	
Oregon.....	16,150	22,100	.....	12,840	19,890	
Other States*.....	14,340	17,220	4,700	10,360	17,470	
Total.....	296,400	346,120	182,070	187,420	277,520	

* Shelled.

* "Other States" include: Arkansas, California, Idaho, Iowa, Kansas, Nebraska, New Jersey, Oklahoma, Tennessee, Texas, and Wyoming. This group included Oregon and Virginia prior to 1934.

Snap Beans

The July 15th indication of production of snap beans for manufacture in 1937 is 96,300 tons according to canners' reports to the Bureau of Agricultural Economics. This compares with a 1936 estimated production of 76,500 tons and the 5-year (1928-32) average production of 73,100 tons.

Yields indicated by conditions on July 15th are 1.51 tons per acre. In comparison, the 1936 estimated yield was 1.52 tons and the 10-year (1923-32) average yield was 1.58 tons per acre. The decline in yield prospects from those reported

on July 1st, was confined mostly to the Ozarks, Louisiana and Mississippi where warm weather curtailed production on the late plantings. The Mexican bean beetle was causing some injury in the Middle Atlantic States.

State	Acreage		Production			Indicated 1937
	Har- vested 1936	Planted 1937	5-year average 1928-32	1936	1937	
	Acres	Acres	Tons	Tons	Tons	
Maine.....	1,150	1,650	2,500	3,000	4,000	
New York.....	7,900	9,240	12,400	11,100	12,900	
Pennsylvania.....	1,950	2,400	3,400	2,900	3,400	
Indiana.....	1,140	1,600	1,900	1,300	1,900	
Michigan.....	5,400	6,300	4,900	6,500	8,800	
Wisconsin.....	5,730	7,500	8,500	6,300	9,800	
Delaware.....	720	870	1,700	1,200	900	
Maryland.....	9,760	11,000	10,200	13,700	16,500	
South Carolina.....	200	500	1,200	100	600	
Tennessee.....	1,600	2,500	2,000	1,300	2,800	
Mississippi.....	1,350	1,500	2,200	1,200	800	
Arkansas.....	900	2,700	1,900	700	1,400	
Louisiana.....	1,100	1,800	1,900	900	1,800	
Colorado.....	920	1,000	4,500	2,300	2,500	
Utah.....	760	980	2,000	2,000	2,700	
Washington.....	690	1,000	1,900	2,800	3,200	
Oregon.....	1,340	1,800	2,100	7,600	9,000	
California.....	880	740	2,000	3,700	3,000	
Other States*.....	6,690	8,900	5,900	7,900	10,300	
Total.....	50,180	63,980	73,100	76,500	96,300	

* "Other States" include: Alabama, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, North Carolina, Ohio, Oklahoma, Texas, Vermont, Virginia, West Virginia, and Wyoming.

Canning Crop Conditions

The Bureau of Agricultural Economics issued on July 23rd the following reports giving the condition figures as of July 15th on green peas, snap beans, sweet corn, tomatoes, cabbage for kraut, cucumbers for pickle, green lima beans, beets and pimientos:

State	Green Lima Beans		Beets		Per cent
	July 15, 1936	July 15, 1937	July 15, 1936	July 15, 1937	
	Per cent	Per cent	Per cent	Per cent	
New York.....	..	..	60	87	
New Jersey.....	90	75	58	72	
Indiana.....	..	..	60	90	
Michigan.....	72	75	54	81	
Wisconsin.....	57	80	63	80	
Delaware.....	78	80	..	..
Maryland.....	76	80	..	..
Virginia.....	80	88	..	..
Oregon.....	..	..	85	83	
Other States*.....	66	84	68	83	
U. S. Average.....	77.4	80.1	63.4	82.1	

* For Lima Beans, "Other States" include: Colorado, Georgia, Illinois, Indiana, Minnesota, New York, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Washington, and Wisconsin. For Beets, "Other States" include: Colorado, Delaware, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Minnesota, Mississippi, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, and Washington.

State	Green Peas		Snap Beans		State	Sweet Corn		Tomatoes		
	July 15, 1936		July 15, 1937			July 15, 1936		July 15, 1936		
	Per cent	Per cent	Per cent	Per cent		Per cent	Per cent	Per cent	Per cent	
Maine	74	83	93	81	Maine	95	84	..	..
New York	32	81	60	77	New Hampshire	90	82	..	..
Pennsylvania	65	87	65	79	Vermont	90	90	..	..
Ohio	50	95	..	..	New York	60	80	67	89
Indiana	75	95	56	86	New Jersey	..	..	80	83
Illinois	60	80	..	..	Pennsylvania	77	90	77	89
Michigan	40	85	63	87	Ohio	43	81	80	78	
Wisconsin	40	70	57	87	Indiana	50	86	74	87	
Minnesota	52	81	..	..	Illinois	65	89	67	95
Delaware	54	55	72	86	Michigan	82	90	80	86	
Maryland	55	67	70	82	Wisconsin	54	82	..	..
Virginia	50	48	..	..	Minnesota	57	94	..	..
South Carolina	..	..	40	80	Iowa	65	85	67	89
Tennessee	..	..	25	83	Nebraska	52	93	..	..
Mississippi	..	..	75	40	Missouri	..	..	56	83
Arkansas	..	..	20	50	Delaware	78	90	80	87
Louisiana	..	..	50	65	Maryland	76	91	77	81
Montana	60	85	..	..	Virginia	..	..	66	85
Colorado	85	83	88	92	Kentucky	..	..	42	80
Utah	60	87	93	81	Tennessee	60	90	43	80	
Washington	94	83	82	77	Arkansas	..	..	42	87
Oregon	85	90	98	89	Colorado	..	..	93	92
California	..	..	90	90	Utah	..	..	87	84
Other States *	70	83	69	73	California	..	..	85	90
U. S. Average	59.4	78.0	71.0	80.1	Other States *	81	86	63	81	
U. S. Average	62.4	87.6	73.2	85.6	U. S. Average	..	..	..	..

* For Green Peas, "Other States" include: California, Idaho, Iowa, Kansas, Nebraska, New Jersey, Oklahoma, Oregon, Tennessee, Virginia, and Wyoming. For Snap Beans, "Other States" include: Alabama, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Texas, Vermont, Virginia, and Wyoming.

* For Sweet Corn, "Other States" include: Colorado, Idaho, Kansas, Montana, Oklahoma, Oregon, South Dakota, Virginia, Washington, and Wyoming. For Tomatoes, "Other States" include: Connecticut, Florida, Georgia, Idaho, Kansas, Louisiana, Mississippi, Nebraska, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Texas, Washington, West Virginia, and Wisconsin.

PIMENTOS.—The condition of pimientos in California on July 15th was 95 per cent in both 1936 and 1937; in Georgia the condition was 78 per cent in 1937 and 55 per cent on the same date in 1936.

State	Cabbage for Kraut		Cucumbers for Pickles		State				
	July 15, 1936		July 15, 1937						
	Per cent	Per cent	Per cent	Per cent					
Massachusetts	..	..	80	75	Massachusetts	..	..	..	..
New York	49	93	66	74	New York	..	..	..	..
Ohio	69	75	69	71	Ohio	..	..	..	..
Indiana	52	95	76	92	Indiana	..	..	..	..
Illinois	50	90	54	87	Illinois	..	..	..	..
Michigan	74	75	72	87	Michigan	..	..	..	..
Wisconsin	66	86	69	89	Wisconsin	..	..	..	..
Minnesota	50	80	51	85	Minnesota	..	..	..	..
Iowa	..	..	65	92	Iowa	..	..	..	..
Missouri	..	..	50	89	Missouri	..	..	..	..
Maryland	..	..	70	88	Maryland	..	..	..	..
Virginia	..	..	65	70	Virginia	..	..	..	..
North Carolina	..	..	66	62	North Carolina	..	..	..	..
Louisiana	..	..	90	90	Louisiana	..	..	..	..
Texas	..	..	25	90	Texas	..	..	..	..
Colorado	90	90	90	85	Colorado	..	..	..	..
Washington	84	85	83	87	Washington	..	..	..	..
Oregon	..	..	87	89	Oregon	..	..	..	..
California	..	..	77	85	California	..	..	..	..
Other States *	67	75	66	88	Other States *	..	..	..	..
U. S. Average	60.7	85.9	67.8	84.8	U. S. Average	..	..	..	..

* For Cabbage for Kraut, "Other States" include: Iowa, Maryland, New Jersey, North Carolina, Oklahoma, Oregon, Pennsylvania, Tennessee, Utah, and Virginia. For Cucumbers for Pickles, "Other States" include: Alabama, Connecticut, Delaware, Florida, Kentucky, Maine, Mississippi, New Jersey, Oklahoma, Pennsylvania, South Dakota, and North Carolina prior to 1936.

Fruit Crop Prospects

Above average supplies of all deciduous fruits are in prospect during the 1937 season, with prices in general likely to average somewhat lower than those of 1936, according to a report of the Bureau of Agricultural Economics dated July 21, 1937.

The 1937 apple crop is indicated to be 194,328,000 bushels, a fifth larger than the 1931-35 average. This increase is due largely to greater production in some of the principal producing regions of the Central and Atlantic Coast States. The Western crop is indicated to be about average. Apple prices are expected to average below the relatively high prices received for last year's crop but may average slightly higher than those of 1936.

Indications point to a total peach crop of 57,693,000 bushels, about a fifth larger than last year's small crop, but only slightly larger than the 1931-35 average. Shipments from the Southern States have been small thus far in the season and prices have averaged higher than a year earlier. The seasonal decline in prices is expected to be less than average while the Southern States furnish the bulk of market supplies, but relatively sharp price declines are likely to occur when shipments begin in volume from the late States.

The pear crop is now estimated at about 30 million bushels, the largest crop on record. The largest relative increases in pear production this year are indicated for Oregon, Washington, and several of the Central States.

The largest grape crop since 1928 is indicated. The total crop is estimated at 2.5 million tons, of which California will produce about 2.2 million tons. Lower prices than those of last season are expected, although encouraging factors in the demand situation are the increase in the level of consumers' incomes over last year, and relatively small stocks of raisins and wine.

Temperature and Rainfall Records

The following table gives the average temperature and total rainfall for the principal pea growing districts for each of the last two weeks, as shown by the U. S. Weather Bureau reports for selected stations in these districts:

District	Week ended July 13, 1937		Week ended July 20, 1937	
	Temp.	Rain	Temp.	Rain
Maine.....	75	.1	70	.2
Western New York.....	78	.6	72	.2
Tri-States.....	85	.0	80	1.2
South Central Ohio.....	81	.5	75	2.3
Central Indiana.....	81	1.0	75	2.3
Central Illinois.....	81	1.3	76	.5
Northern Illinois, Southern Wisconsin.....	82	1.2	74	.0
Southern Minnesota.....	84	.0	72	.3
Northern Colorado.....	73	.2	72	.1
Northern Utah.....	73	.4	77	.5
Northwestern Washington.....	66	.0	66	.4
Southeastern Washington.....	77	.0	77	.0

Fruit and Vegetable Market Competition

Carlot Shipments as Reported by the Bureau of Agricultural Economics, Department of Agriculture

	Week ending—		Season total to—		
	July 17 1936	July 17 1937	July 10 1937	July 17 1936	July 17 1937
VEGETABLES					
Beans, snap and lima	79	22	56	7,730	7,932
Tomatoes.....	1,087	690	917	17,705	16,954
Green peas.....	230	184	186	5,072	4,717
Spinach.....	11	3	2	7,429	8,111
Others:					
Domestic, competing directly.....	1,702	1,749	2,199	104,973	105,079
FRUITS					
Citrus, domestic.....	2,297	1,742	1,404	92,875	88,491
Imports.....			19		
Others, domestic.....	3,219	1,424	1,020	12,699	6,550

Curly Top Appears in Utah Tomato Fields

Curly top has made its appearance on a sufficiently large number of plants in the tomato fields of northern Utah to cause concern for the 1937 canning crop, according to a statement appearing in the July 15th issue of the *Plant Disease Reporter*, published by the Bureau of Plant Industry of the U. S. Department of Agriculture. The article states that "a brief survey of fields in the western part of Weber County and the northern and central portions of Davis County on June 23rd revealed a degree of infection for that time of the year that is foreboding. The Hooper district carried an infection of approximately 15 per cent. Compare such an

infestation with an infestation of 14 per cent at the same time in 1936, of 17 per cent in 1935, and of 25 per cent in 1934; years in which the tomato crop of the district was practically totally destroyed, and the seriousness of the situation is evident. The tomato crop is in about the same stage of development as June 7, 1934, at which time there was a curly top infestation of about 17 per cent. Over 50 per cent of the tomato crop of the State was destroyed by curly top that year. Approximately 4 per cent of the tomatoes examined in the Clinton district were infested with the disease. This closely approximates the amount of the disease which developed in that district during the entire year of 1936.

"The fear that a hot, dry summer will be disastrous to the tomato crop in many sections of Utah appears justified."

Florida Canned Citrus Shipments to West Coast

Shipments of canned citrus products in June from Tampa and Jacksonville to Pacific Coast points totaled 82,239 cases, according to the Jacksonville office of the Bureau of Foreign and Domestic Commerce. The shipments from Tampa were as follows: Grapefruit, 40,433 cases; grapefruit juice, 31,092 cases; grapefruit and juice, 1 case; grapefruit and orange, 311 cases; citrus and juice, 1,173 cases; orange juice, 755 cases; citrus juice, 45 cases; citrus salad, 279 cases; and citrus fruit, 25 cases. Shipments from Jacksonville were: Grapefruit, 180 cases; grapefruit juice, 5,200 cases; grapefruit and juice, 240 cases; citrus, 2,485 cases.

Decisions Under Robinson-Patman Act Issued by Association in Pamphlet Form

The Federal Trade Commission on July 17, 1937, announced its first four decisions in proceedings which it has brought under the Robinson-Patman Act. These decisions are handed down in connection with complaints against the following companies: Biddle Purchasing Company; Kraft-Phenix Cheese Corporation; Bird & Son, Inc., Bird Floor Covering Sales Corporation, and Montgomery Ward & Company, Inc.; and Hollywood Hat Company, Inc. They are significant in that they indicate the attitude which the Commission will take in the enforcement of the Robinson-Patman Act. In addition, each of the decisions involves questions of considerable interest to the canning industry. For this reason, the Findings and Opinions have been issued by the Association in pamphlet form and copies mailed to all members.

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